

**MINUTES OF THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**May 17, 2000**

DIVISION ONE

[illegible]

The judgment is affirmed.

Masterson, J.

We concur: Spencer, P.J.  
Ortega, J.

B132887      The People                                (Not for Publication)  
v.  
James Goodrum

The appeal is dismissed.

Masterson, J.

We concur: Spencer, P.J.  
Ortega, J.

B130570      Noring et al.  
v.  
Popeney, Lebetsamer & Grange

Filed order denying petition for rehearing. Ortega, J. would grant.

DIVISION ONE (Continued)

B140657      Brady et al.      (Not for Publication)  
v.  
Superior Court, Los Angeles County  
(Green, r.p.i.)

The Court:

THEREFORE, let a peremptory writ of mandate issue, directing respondent superior court in the action entitled Nakiya Brady et al. v. Geraldine D. Green (Los Angeles Superior Court Case No. BC207810) to (1) vacate its order of March 15, 2000, granting the motion of real party in interest to vacate default, and (2) enter a new and different order denying same. Costs are awarded to petitioners.

Ortega, Acting P.J., Masterson, J., Aragon, J. (Assigned)

DIVISION TWO

B123666      People      (Not for Publication)  
v.  
Larre

The judgment is affirmed.

Cooper, J.

We concur:    Boren, P.J.  
                     Nott, J.

DIVISION TWO (Continued)

B129618      Karin Avery                      (Not for Publication)  
                  v.  
                  Paul Avery

Substantial evidence supports the trial courts determination that Karin had overcome the presumption of decreased need. The judgment of the trial court is affirmed.

Cooper, J.

We concur:    Boren, P.J.  
                     Mallano, J. (Assigned)

DIVISION THREE

Court convened at 9:30 A.M.

Present: Klein, P.J., Croskey, J., Kitching, J., Aldrich, J. and Valorie Gray, Deputy Clerk.

Each of the following:

B130304 People v. Williams  
B139240 Bobby J., v. S.C.L.A.  
B133662 Children & Family Services v. Guillermina V.  
B131642 Children & Family Services v. Gwendolyn G.  
B124669 People v. Hector  
B131953 People v. Thomas H.  
B134445 Children & Family Services v. Brigitte H.  
B132942 People v. Daniel P.  
B134402 People v. Elizabeth W.  
B127079 People v. Stephens  
B132219 People v. Yates  
B131358 People v. Orozco

Argument waived, cause submitted.

DIVISION THREE (Continued)

B131275      Coulter  
                 v.  
                 Gomez

Merits:

Argued by Brian P. Barrow for appellant and by Janet M. Christoffersen for respondent. Cause submitted.

B137358      County of Los Angeles  
                 v.  
                 S.C.L.A.  
                 Crystal Bryan et al.

Merits:

Argued by Michael Bergfeld for petitioner and by Linda Wallace Pate and Richard C. Voorhies for real parties in interest. Cause submitted.

B133071      Maxwell  
                 v.  
                 The City of Burbank

Merits:

Argued by Thomas M. Maxwell, appellant in propria persona, and by Carolyn A. Barnes, deputy city attorney, for respondent. Cause submitted.

B130397      County of Los Angeles  
                 v.  
                 Larry B. Charles

Merits:

Argued by Larry B. Charles, appellant in propria persona, and by Nancy K. Rollo, deputy district attorney, for respondent. Cause submitted.

DIVISION THREE (Continued)

B129132     Avalos  
              v.  
              Ford

No appearance by appellant. Argument waived by the respondent. Cause submitted.

B119147     People  
              v.  
              Valter

Merits:  
Argued by Michael H. Artan for appellant and by Mitchell Keiter, deputy attorney general, for respondent. Cause submitted.

B127872     People  
              v.  
              Barnes

Merits:  
Argued by Dirk L. Hudson, deputy district attorney, for appellant and by Alex Ricciardulli, deputy public defender, for respondent. Cause submitted.

B123644     Harrison Properties  
              v.  
              Wausau Insurance Company et al.

Merits:  
Argued by Hal L. Coskey for appellant and by Michelle R. Press, Susan Carbone Keeney and Raul Martinez for respondents. Cause submitted.

DIVISION THREE (Continued)

B121546     People  
              v.  
              Nunez-Aguirre et al.

Merits:  
Argued by Mark O. Heaney, Alvin S. Michaelson and Richard M. Steingard  
for appellants and by Valerie Baker, deputy attorney general, for  
respondent. Cause submitted.

Court recessed at 1:08 P.M.

Court reconvened at 2:00 P.M.

Present: Klein, P.J., Croskey, J., Kitching, J., Aldrich, J. and Valorie Gray, Deputy  
Clerk.

B133551     Romo  
              v.  
              Vouis

Merits:  
Argued by Nathaniel J. Friedman for appellant and by Denise Greer for  
respondent. Cause submitted.

B125655     Gerber  
              v.  
              Palache et al.

Merits:  
Argued by William Beaumchamp, appellant in propria persona, and by  
Charles F. Barker for respondent. Cause submitted.

B128215     The Folb Partnership  
              v.  
              Combined Communications Corporation

Merits:  
Argued by Mitchel J. Ezer for appellant and by Kirk A. Wilkinson for  
respondents. Cause submitted.

DIVISION THREE (Continued)

B125241     Romney  
              v.  
              Schaffer

Merits:  
Argued by Gary M. Coulton for appellant and by Andrea Breuer for respondent. Cause submitted.

B128635     Waterman  
              v.  
              Carlton Communications/Technicolor et al.

Merits:  
Argued by Alert F. Coombes for appellant and by Kirk A. Wilkinson for respondents. Cause submitted.

B123240     Campillo  
              v.  
              Pole et al.

Merits:  
Argued by Robin Meadow for appellant and by John Keker for respondent. Cause submitted.

B132000     Air Conditioning Sheet Metal Association et al.  
              v.  
              Sheet Metal & Air Conditioning Contractors National Association

Merits:  
Argued by Stuart H. Young, Jr. for appellants and by Joseph B. Scudiero for respondent. Cause submitted.

Court adjourned at 4:57 P.M.

DIVISION FOUR

B139181      Los Angeles County, D.C.F.S.      (Not for Publication)  
v.  
Dragica K.

The order is reversed. The remittitur is to issue forthwith (Cal. Rules of Court, rule 25(b).)

Epstein, Acting P.J.

We concur: Hastings, J.  
Curry, J.

B123537 People (Not for Publication)  
v.  
Solis

The judgment is affirmed.

Curry, J.

We concur: Hastings, Acting P.J.  
Rubin, J. (Assigned)

B138517 People (Not for Publication)  
v.  
Larce

The judgment is affirmed.

Curry, J.

We concur:   Hastings, Acting P.J.  
                  Rubin, J. (Assigned)



DIVISION FIVE

B128478     People  
              v.  
              Melvin J.

Filed order granting petition for rehearing.

DIVISION SIX

B134612     People                                 (Not for Publication)  
              v.  
              Franco

The judgment is affirmed.

Yegan, J.

We concur:   Gilbert, P.J.  
                  Perren, J.

B135781     People                                 (Not for Publication)  
              v.  
              Pino

The judgment is affirmed.

Yegan, J.

We concur:   Gilbert, P.J.  
                  Coffee, J.

DIVISION SIX (Continued)

B132058      Western Surety Co.                      (Not for Publication)  
                 v.  
                 Doering

The order awarding attorney's fees and costs is affirmed. Sister is awarded attorney's fees and costs on appeal in an amount to be determined by the probate court on noticed motion.

Yegan, J.

We concur:   Gilbert, P.J.  
                 Coffee, J.

B133769      People    (Not for Publication)  
                 v.  
                 Maldonado

The judgment is affirmed.

Yegan, J.

We concur:   Gilbert, P.J.  
                 Perren, J.

B131317      People    (Not for Publication)  
                 v.  
                 Alvarado

The judgment is affirmed.

Gilbert, P.J.

We concur:   Yegan, J.  
                 Perren, J.

May 17, 2000-Continued

## DIVISION SIX (Continued)

B134423 People v. Wright (Not for Publication)

The judgment is affirmed.

Coffee, J.

We concur: Gilbert, P.J.  
Perren, J.

Correction to minutes of May 10, 2000:

B129078      Gutierrez  
v.  
Cowell

Argument waived, cause submitted.

The above corrects the minutes of May 10, 2000 and supersedes the entry at 9:00 a.m. under B129078 *Bluitt v. Baylor*.

## DIVISION SEVEN

B131588      Roshkind      (Not for Publication)  
v.  
Bel Air Crest, Ltd.

The summary judgment is reversed and on remittitur, the trial court is directed to deny the motion. Appellants are entitled to costs on appeal.

Lillie, P.J.

We concur:   Johnson, J.  
                          Woods, J.

DIVISION SEVEN (Continued)

B130797      Atighi      (Not for Publication)  
v.  
Grovehill LLC

The order of dismissal (judgment) is affirmed.

Lillie, P.J.

We concur:   Johnson, J.  
                      Neal, J.

B135857 People (Not for Publication)  
v.  
Piacenti

The judgment is affirmed.

Lillie, P.J.

We concur:   Johnson, J.  
                      Woods, J.

B128888 People (Not for Publication)  
v.  
Smith

The judgment is affirmed.

Lillie, P.J.

We concur: Woods, J.  
Neal, J.

DIVISION SEVEN (Continued)

B124426      Navarro      (Not for Publication)  
v.  
Bartley

The judgment is affirmed. Respondent(s) to recover costs.

Lillie, P.J.

We concur:   Johnson, J.  
                      Neal, J.

B132643      People                                  (Not for Publication)  
v.  
Martinez

---

The judgment is affirmed.

Lillie, P.J.

We concur: Woods, J.  
Neal, J.

B124544      Hart et al.                      (Not for Publication)  
v.  
**Progressive Casualty Insurance Company**

The portion of the judgment relating to the Harts' liability for comparative bad faith is reversed. The trial court is directed to enter a new judgment awarding the Harts \$113,013.00 on their bad faith claim. In all other respects, the judgment is affirmed. The Harts shall recover their costs on appeal.

Johnson, J.

We concur:   Lillie, P.J.  
                      Neal, J.

## DIVISION SEVEN (Continued)

B128577      Kutsuna      (Not for Publication)  
v.  
Fujita Corporation USA

The judgment is affirmed. Respondent(s) to recover costs.

Johnson, J.

We concur: Lillie, P.J.  
Neal, J.

B134644 People (Not for Publication)  
v.  
Antonio E., a minor

The order of disposition is reversed insofar as it fails to determine if the offenses are felonious or misdemeanors. The cause is remanded for compliance with Welfare and Institutions Code section 702 and for a possible recalculation of the minor's maximum period of confinement. In all other respects, the orders under review are affirmed.

Lillie, P.J.

We concur: Woods, J.  
Neal, J.